

SENATE BILL 792

By Woodson

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 4 and Title 40, Chapter 35, Part 3, relative to alcohol and drug treatment for certain offenders.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-35-303(d), is amended by adding the following language as a new, appropriately designated subdivision:

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(A) Undergo an alcohol and drug assessment, treatment, or both an assessment and treatment, if the court deems it appropriate and such licensed treatment service is available;

(B) Unless the court makes a specific determination that the person is indigent, the expense of such assessment and treatment shall be the responsibility of the person receiving it. If the court finds that the person is indigent under the same standards as used in § 55-10-403(a)(4)(B), the expense or some portion of the expense may be paid from the alcohol and drug addiction treatment fund provided in § 40-33-211, pursuant to a plan and procedures developed by the department of health.

SECTION 2. Tennessee Code Annotated, Title 39, Chapter 17, Part 4, is amended by adding the following as a new, appropriately designated section:

(a) In addition to all other fines, fees, costs and punishments now prescribed by law, an alcohol and drug addiction treatment fee of one hundred dollars (\$100) shall be assessed for each conviction for a violation under this part.

(b) All proceeds collected pursuant to subsection (a) shall be transmitted to the commissioner of health for deposit in the alcohol and drug addiction treatment fund administered by the department.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.